

**Tom B. Bacon**

**From:** Thomas B. Bacon [baconlaw@bellsouth.net]  
**Sent:** Wednesday, March 26, 2008 8:37 AM  
**To:** Leonard, Michael  
**Subject:** Re: Disabled Patriots v. Town & Country

Mike, I'll call you thursday afternoon to discuss the scope of the inspection. By way of managing the argument, I suggest we agree to conduct the full inspection, but Defendant reserves the right to challenge the findings of the expert in later proceedings. That way, the parties will avoid the need to conduct a second inspection later on.

Regards,

Tom

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----- Original message from "Leonard, Michael" <michael.leonard@mbtlaw.com>: -----

> Tom, we will be following the Judge's Order in terms of the timing of our  
 > discovery. With respect to the Rule 34 inspection, we will have to have a meet  
 > and confer telephone conference to resolve the issue of the scope of that  
 > inspection. I am out of the office on Wednesday, but I am in Thursday and  
 > Friday. So, please let me know what time might work for that meet and confer -  
 > on Thursday afternoon or sometime Friday. Thanks, Mike Leonard.

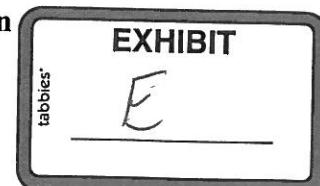
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> From: Thomas B. Bacon [mailto:baconlaw@bellsouth.net]  
 > Sent: Tue 3/25/2008 8:16 AM  
 > To: Leonard, Michael  
 > Subject: Disabled Patriots v. Town & Country

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> Dear Mr. Leonard, > At the recent hearing, the Judge denied Plaintiffs' Motion To Compel as the  
 > basis for the dispute was Defendant's basic assertion that Rule 11 precluded  
 > Plaintiffs' entitlement to discovery. The Judge's additional order denying the  
 > Rule 11 Motion To Dismiss has mooted this objection. Therefore, kindly provide  
 > us with Defendant's outstanding discovery responses within ten days to avoid the  
 > filing of a second motion to compel.

> Additionally, we would like to move forward with the Rule 34 inspection when we  
 > are in town on April 2, in the afternoon. This timely inspection is necessary  
 > if Defendant has any interest in an early resolution of the case. If Defendant  
 > agrees to submit to the inspection on April 2, Plaintiffs will agree to an



> extension on the remaining outstanding discovery of 30 days from the date when  
> Plaintiffs submit a settlement proposal based on the R. 34 inspection report.

> Kindly advise.

> --

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> Thank you. Meckler Bulger & Tilson LLP